THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Erect 1.5 storey detached garage/home studio to west boundary.

LOCATION: Land at, Rue A Chiens, St. Sampson.

APPLICANT: Mr L Abbott

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 23/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: App: 1024-03B1 & -03B2.

Application Ref: FULL/2025/0815

Property Ref: B014930000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter

period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding materials to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

5.If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

Expiry Date: This permission will cease to have effect on 22/06/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an outbuilding to be used as an integral part of and incidental to the principal dwelling at the above site. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES
Director of Planning
Planning Service

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0815
Property Ref:	B014930000
Valid date:	16/05/2025
Location:	Land at Rue A Chiens St. Sampson Guernsey
Proposal:	Erect 1.5 storey detached garage/home studio to west boundary.
Applicant:	Mr L Abbott

RECOMMENDATION - Grant: Planning Permission with Conditions:

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1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding materials to be used have been submitted to and agreed in

writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

5. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of an outbuilding to be used as an integral part of and incidental to the principal dwelling at the above site. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site is located to the south-west of Rue a Chiens. The north-western part of the site (forming the domestic curtilage) is currently under development, in accordance with the applications cited below. The land to the east of the curtilage currently comprises open grassland, with planting on the remainder of the site.

The site access is in the north-east corner, serving a track which runs along the north boundary to an area of hardstanding in the north-west corner. The track and hardstanding fall within the site ownership, and have historically provided through access to La Garenne Nature Reserve to the north-west. Previous informal parking associated with that reserve appears to have ceased.

The site is bounded by open land to the south, west and north-west, by two residential properties to the north with La Garenne Industrial Estate beyond, and by a glasshouse site on the opposite side of the road to the east.

The site is located Outside of the Centres in the Island Development Plan. The site itself is not subject to any additional designations, however the land to the north-west (La Garenne Nature Reserve) is a designated Area of Biodiversity Importance.

Relevant History:

FULL/2018/1430 Permit to extend and convert two outbuildings to form dwelling and change of use of agricultural land to domestic use. Approved 17/10/2018

FULL/2020/2178 Demolish outbuildings, erect dwelling, alterations to vehicular access and wall and create pedestrian access to nature reserve. Approved 19/02/2021

FULL/2022/0437 Variations to plans previously approved to demolish outbuildings and erect dwelling - vary Condition 12 to omit hemp lime construction; relocate dwelling 5m north, increase floor area to east elevation, alterations to rooflights, fenestration and material changes to facade and flat roof. Approved 16/06/2022

FULL/2024/2102 Erect single storey extension to south (rear) and west (side) elevations and alterations to driveway. Approved 07/02/2025

Existing Use(s):

Dwellinghouse – Residential Use Class 1

The permissions issued under FULL/2020/2178 & FULL/2022/0437 have been implemented to a point at which the building is now recognised as a dwellinghouse.

Assessment: *(Tick as appropriate)*

no representation	X	visual amenity acceptable	X
accords with policy	X	no material neighbour impact	X
within curtilage	X	traffic not affected	X
design acceptable	X		

Policies considered most relevant:

GP8	Design
GP9	Sustainable Development
GP13	Householder Development
IP7	Private and communal car parking

Consultation response:

The Office for Environmental Health and Pollution Regulation comment as follows:

I have reviewed the proposed plans for a garage to be erected at the land Cadastre reference B014930000 on the above-mentioned road which were received by email on 3rd June 2025. This piece of land has historically housed glasshouses which are known for causing contaminants to harbour in the soil they are housed upon. Whilst I am concerned that there is potential for heavy metals and pesticides to be present in the soil of this site, I note that the Office of Environmental Health and Pollution Regulation were not consulted on the previous two applications to erect a dwelling and a subsequent extension on this land. As such, I recommend the following condition:

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Conclusion/Brief comment:

Permission is sought to erect a 1.5 storey outbuilding adjacent to the west boundary of the domestic curtilage associated with the property. The ground floor is to provide garaging and a garden store and the upper floor is to be a home studio. Clarification has been provided that the studio is to be used for purposes ancillary to the main house, as a mixture of storage, occasional home working and lounge area. It is not proposed to use the space for a business or as an ancillary living unit.

It is accepted that the building at this site is a dwellinghouse and the principle of construction of ancillary outbuildings can therefore supported under Plan policy.

The proposed outbuilding, whilst substantial in scale, is for purposes ancillary to the use of the main house and is subservient to that house in terms of scale and purpose. The building is well related to the existing house and designed to appear as a coherent part of the building group. It is assumed that the timber cladding would match that of the main house, however this is not specified and should be managed by condition. Whilst visible from the road to the east, the outbuilding would be set behind the existing built form and read amongst the buildings both at this site and the properties to the north-west. The proposals would have no adverse impact on the character of the area.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9 and an EV charge point is specified within the garage.

The outbuilding would be set closer to neighbouring property than the existing and approved structures at the site however would remain set away from the intervening boundary and is orientated to minimise any potential overshadowing. Fenestration is positioned to avoid any overlooking. The proposal would not therefore have any adverse impact on neighbour amenity.

The proposed outbuilding includes only limited fenestration in the west elevation, limiting potential impacts on the undeveloped land to the west. Taking this into account, and the relationship with the Area of Biodiversity Importance to the north-west, there would not be any adverse impact on the ABI.

The remainder of the development shown on the proposed plans, including the layout of the driveway, is as previously approved.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:
Grant with Conditions [X]

Date: 20/06/2025